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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,950	10/30/2001	Howard Justin Glaser	SVL920010016US1	4752
7590	12/22/2004		EXAMINER	
David W. Victor KONRAD RAYNES VICTOR & MANN LLP Suite 210 315 S. Beverly Drive Beverly Hills, CA 90212			TANG, KUO LIANG J	
			ART UNIT	PAPER NUMBER
			2122	
			DATE MAILED: 12/22/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/003,950	GLASER, HOWARD JUSTIN	
	Examiner	Art Unit	
	Kuo-Liang J Tang	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10/30/2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-48 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/5/2002</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This Office Action is in response to the application filed on 10/30/2001.

Claims 1-48 are pending and have been examined.

The priority date for this application is 10/30/2001.

Claim Objections

2. Claims 1 and 17 are objected to because of the following informalities:

Claim 1, line 9, “affect” should be – effect --.

Claim 17, line 1, “A system method for” should be -- A system for --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-14, 17-30 and 33-46 are rejected under 35 U.S.C. 102(a) as being anticipated by DelMonaco et al., “IBM WebSphere Studio Asset Analyzer: Overview”, June 2001 (Art of Record, hereinafter DelMonaco), and which incorporated Randall J. Mowen, “IMS newsletter Summer 2001”, 11/00 (hereinafter **Mowen**) and Larry **Kahm**, “Using Webspere Studio Asser Analyzer”, IBM International Technical Support Organization, March 2004.

Mowen and **Kahm** are incorporated and/or applied, as MPEP 2131.01, to:

- (A) Prove the primary reference contains an "enabled disclosure;"
- (B) Explain the meaning of a term used in the primary reference; or
- (C) Show that a characteristic not disclosed in the reference is inherent.

It should be also noted that **Mowen** at page 10 discloses that the IBM WebSphere Studio Asset Analyzer product available on June 1, 2001.

As Per Claim 1, DelMonaco teaches that Websphere Studio Asset Analyzer product provides rapid impact analysis and connector identification, simplifying the integration of existing applications and business processes for e-businesses in the Websphere/390 environment. (E.g. see Introduction and scope). In that DelMonaco discloses a product for enabling analysis of proposed changes to program statements in a source code files, comprising:

“generating a data structure (E.g. see page 10, Figure and associated text) indicating a plurality of program statements in one or more source code files affected by one of a plurality of selected program statements to change in one or more source code files, wherein the data structure indicates a hierarchical relationship of the effect of program statements on one another resulting from change to the selected program statements” (E.g. see page 3, lines 7-10, page 4, lines pages 1-8) ; and

“processing the data structure to display information on the hierarchical relationship of the affect of the program statements on one another resulting from changes to the selected program statements”(E.g. see pages 8-11, Figures).

As Per claim 2, the rejection of claim 1 is incorporated and further DelMonaco teaches:

“generating an element object in the data structure for one selected program statement to change”(E.g. see page 10, Figure, data element “CS-DEPT” and associated text); and

“generating element objects in the data structure for program statements that are directly or indirectly affected by the selected program statements, wherein the element object representing one program statement is defined as a child element object (E.g. see page 10, Figure, Children “CS-DEPT-CHAR” and associated text) to the element object for one program statement whose output parameter comprises the input parameter of the program statement represented by the child element object” (E.g. see page 10, Figure and associated text).

As Per claim 3, the rejection of claim 2 is incorporated and further DelMonaco teaches:

“wherein the element object is associated with an identifier of the source code file including the program statement for which the element object is generated and a line number where the program statement is included in the source code file” (E.g. see page 10, Figure, Source Location, “DAVIN6, COBOLSM1, COBOL(COBB00A)” and At location, “DAVIN6, COBOLSM1, COBOL(COBB00A) at line 192” and associated text).

As Per claim 4, the rejection of claim 3 is incorporated and further DelMonaco teaches:

“wherein the identifier comprises a location of the source code file” (E.g. see page 10, Figure, Source Location, “DAVIN6, COBOLSM1, COBOL(COBB00A)”).

As Per claim 5, the rejection of claim 2 is incorporated and further DelMonaco includes **Kahm** teaches:

“wherein the data structure is implemented as an extensible markup language (XML) file”(E.g. see **Kahm**, page 4, line 21).

As Per claim 6, the rejection of claim 1 is incorporated and further DelMonaco teaches:
“processing a database (E.g. see page 2, Figure, Analysis database (DB2) and associated text) including information on program statements and program artifacts in a plurality of source code files” (E.g. see page 4, lines 40-43, “scan source code”); and
“generating result metadata (E.g. see page 4, lines 1-3) indicating a program statements directly or indirectly affected by changes to the selected program statements, wherein the program statements indicated as affected by the proposed change are capable of comprising program statements in the plurality of the source code files, and wherein the data structure is generated from the metadata” (E.g. see pages 8-11, Figures).

As Per claim 7, the rejection of claim 1 is incorporated and further DelMonaco includes **Kahm** teaches:

“assigning at least one source code file to a project” (E.g. see **Kahm** page 10, lines 10-13); and
importing the project to a software development tool to enable a programmer to process the program statements in the at least one source code file assigned to the project”(E.g. see **Kahm** page 19, Figure 1-6, Project summary page).

As Per claim 8, the rejection of claim 7 is incorporated and further DelMonaco teaches:

“wherein a system analyst generates the data structure and assigns the source code files to projects that are imported to the programmer software development tools to enable the programmer to process the program statements indicated in the data structure as affected by the selected program statements to change” (E.g. see pages 8-11, Figures and associated text).

As Per claim 9, DelMonaco includes **Kahm** teaches a method for analyzing proposed changes to program statements in a source code file, comprising:

“receiving a data structure indicating a plurality of program statements affected by one of a plurality of selected program statements to change, wherein the data structure indicates a hierarchical relationship of the effect of program statements on one another” (E.g. see DelMonaco page 10, Figure and associated text);

“displaying the hierarchical relationship (E.g. see DelMonaco page 10, Figure, “Level”, “Parent” and “Children” and associated text) of the program statements affected by one of the selected program statements” (E.g. see DelMonaco page 10, Figure and associated text);

“receiving user input indicating selection of one of the displayed program statements” (E.g. see page 8, Figure, “DEPT” and associated text); and

“enabling editing of the selected program statement” (E.g. see **Kahm** page 108, lines 11-12).

As Per claim 10, the rejection of claim 9 is incorporated and further DelMonaco teaches:
“displaying one program statement affected directly or indirectly by changes to one selected program statement” (E.g. see page 10, Figure and associated text); and

“displaying one program statement as a child in the hierarchical relationship to the program statement whose output parameter comprises the input parameter of the child program statement” (E.g. see page 10, Figure, Children “CS-DEPT-CHAR” and associated text).

As Per claim 11, the rejection of claim 9 is incorporated and further DelMonaco teaches:
“receiving user input directly selecting one displayed program statement in the displayed hierarchical relationship” (E.g. see page 8, Figure, “DEPT” and associated text).

As Per claim 12, the rejection of claim 9 is incorporated and further DelMonaco teaches:
“wherein the data structure is capable of indicating program statements affected by other program statements across source code files” (E.g. see page 10, Figure, Source Location, “DAVIN6, COBOLSM1, COBOL(COBB00A).

As Per claim 13, the rejection of claim 9 is incorporated and further DelMonaco includes **Kahm** teaches:

“determining one of a plurality of source code files capable of including the selected displayed program statement; accessing the determined source code file” (E.g. see DelMonaco page 9, Figure and page 10, Figure, Source Location, “DAVIN6, COBOLSM1, COBOL(COBB00A)” and associated text); and

“displaying in an editing mode a plurality of program statements from the determined source code file including the selected displayed program statement” (E.g. see DelMonaco page 10, Figure and **Kahm** page 108, lines 11-12).

As Per claim 14, the rejection of claim 13 is incorporated and further DelMonaco teaches:

“displaying information on proposed changes to the program statement affecting the selected displayed program statement” (E.g. see page 10, Figure and associated text).

As Per Claim 17, is the system claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1.

As per Claims 18-24, the rejection of claim 17 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 2-8 respectfully.

As Per Claim 33, is the product claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1.

As per Claims 34-40, the rejection of claim 33 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 2-8 respectfully.

As Per Claim 25, is the system claim corresponding to the method claim 9 and is rejected under the same reason set forth in connection of the rejection of claim 9.

As per Claims 26-30, the rejection of claim 25 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 10-14 respectfully.

As Per Claim 41, is the product claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 9.

As per Claims 42-46, the rejection of claim 41 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 10-14 respectfully.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15-16, 31-32 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over DelMonaco includes **Mowen** and **Kahm** as applied above, in view of Minard US Patent No. 6,247,020.

As Per Claim 15, the rejection of claim 13 is incorporated and DelMonaco discloses two panes (E.g. see page 10, Figure) on the graphical user interface. DelMonaco does not explicitly disclose wherein the hierarchical relationship of the program statements are displayed in a first pane on a graphical user interface panel and wherein the plurality of program statements

displayed in editing mode are displayed in a second pane on the graphical user interface. However, Minard in an analogous art teaches in a manner such as “wherein the hierarchical relationship of the program statements are displayed in a first pane on a graphical user interface panel (E.g. see FIG. 4A, Navigation pane 410 or Structure pane 430 and associated text) and wherein the plurality of program statements displayed in editing mode are displayed in a second pane on the graphical user interface (E.g. see FIG. 4A, Content pane 450 and associated text)”. Therefore, it would have been obvious to incorporate the teaching of Minard into the teaching of DelMonaco so that the hierarchical relationship of the program statements are displayed in a first pane and the plurality of program statements displayed in editing mode are displayed in a second pane. The modification would have been obvious because one of ordinary skill in the art would have been motivated to synchronize the Content, Navigation and Structure panes to point to the same node so that the user can select a Java file in the Navigation pane and the source code for the file is displayed ready for editing in the Content pane.

As Per claim 16, the rejection of claim 15 is incorporated and further the combination of DelMonaco and Minard teach:

“wherein a scrolling feature is used to view the program statements in the hierarchical relationship in the first pane” (E.g. see Minard FIG. 4A, Structure pane 430 and associated text). And one would also be motivated to do so for providing such a user friendly feature to view program statements in a hierarchical relationship in the first pane.

As per Claims 31-32, the rejection of claim 29 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 15-16 respectfully.

As per Claims 47-48, the rejection of claim 45 are incorporated and are rejected under the same reason set forth in connection of the rejection of claims 15-16 respectfully.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is (571) 272-3705. The examiner can normally be reached on 8:30AM - 7:00PM (Monday – Thursday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kuo-Liang J. Tang

Software Engineer Patent Examiner


TUAN DAM
SUPERVISORY PATENT EXAMINER